



PEFULZ

Application: 20220538

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND
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To: **Mr Nicholas Savage
C/O Justin Ford, Invicta Clean Energy
Grey Lyn
South Road
Faversham
Kent
ME137LY**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for development of land situate at:

**Abbey Farm Barn
Church Street
Higham
Rochester
Kent
ME3 7LS**

and being **Installation of a 10.88kw ground mounted PV array**. Your application dated 28th June 2022 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 3 years following the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in precise accordance with the following approved plans and particulars:

Planning Application Form;
Design and Access Statement;
Site Location Plan;
Block Plan;
Proposed Elevation, PV array;
Proposed Section, PV array; and
Existing Photograph.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved in writing by,

the Local Planning Authority. The approved details will be implemented and thereafter retained.

Reason: To ensure an acceptable standard of development upon completion through provision and long term management of soft landscaping and to enhance local provisions for wildlife and biodiversity to mitigate habitat lost by development, in accordance with adopted Gravesham Local Plan Core Strategy Policies CS12 and CS19.

4. This permission shall expire within 25 years from the date when electricity is first exported (the 'First Export Date') from the solar panels to the host dwelling (Abbey Farm Barn). Written notification of the First Export Date shall be provided to the Local Planning Authority no later than 14 days after this event.

Reason: To enable the Local Planning Authority to control the development in the interests of the openness of the Green Belt, and in accordance with Policies CS02, CS12 and CS19 of the Local Plan Core Strategy 2014.

5. Within three months of the solar panels hereby permitted ceasing to be used for the generation of electricity, or the end of this permission, whichever is the earliest, or in the event that the solar panels are no longer required to power the Southern Water pump associated with the host dwelling, the solar panels and associated infrastructure shall be permanently removed from the land, and the site restored to its former condition, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to these works being carried out.

Reason: In order to protect and enhance the long-term character and appearance of the site and locality in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

2 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

3 BUILDING REGULATIONS AND PARTY WALL ACT

This decision DOES NOT imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

4 FUTURE DEVELOPMENT

You should be aware that the development hereby approved does not constitute any form of structure and cannot be used to justify the development of a future building(s) on the site. You should contact the Local Planning Authority about any such proposals in the first instance.

Dated: 23 August 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: enquiries@pins.gsi.gov.uk or online at www.planningportal.gov.uk/pcs.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.